

**City of Brighton  
Downtown Development Authority  
Regular Meeting Minutes  
March 18, 2014**

The Board for the Downtown Development Authority (DDA) held a regular meeting on Tuesday, March 18, 2014 at the City of Brighton Council Chambers located at 200 N. First Street, Brighton, MI.

1. **Call to Order** – Chairperson Herbst called the meeting to order at 7:15 a.m.

**Members Present:**

Dave Beauchamp, Mark Binkley (left at 9:00), Linda Botka, Tim Corrigan, Phil Garbacz, Scott Griffith, Bob Herbst, Ashley Israel, Pam McConeghy, Jim Muzzin, Lisa Nelson, Shawn Pipoly and Claudia Roblee

**Members Absent:**

**Also present:**

Mr. Piet Lindhout, Lindhout Associates, Mr. Doug Cameron, DDA Attorney, Mr. Matt Modrack, DDA Executive Director/Community Development Director, City of Brighton, Mr. Dana Foster, City Manager, and an audience of 23.

Mr. Modrack requested that two items be added to today's agenda. One is a request to purchase the DDA's escrowed liquor license from Cheryl Gatt (7.B.) and the other is the SELCRA splash pad (10.B.).

2. **Approval of March 18, 2014 Agenda**

*Motion by Mr. Pipoly, supported by Ms. McConeghy, to approve the March 18, 2014 meeting agenda as amended. Motion carried 13-0*

- 3 **City Manager's Update on a Significant Industrial Project – Dana Foster**

Mr. Foster reviewed a Powerpoint presentation that was made to City Council on March 6 about a significant expansion to the Eberspaecher facility. The project involves the company, state and City of Brighton, with an application for a Category A grant from MDOR and a tax abatement request to the City. ENA plans to invest \$51 million for the expansion which will create at a minimum 100 jobs. Next step is a public hearing at the March 20 City Council meeting and approval of resolutions to support the project. The project will generate a minimum of \$415,000 in cumulative tax revenues over a 6-year period, with approximately \$150,000 to the DDA Fund.

4. **Call to the Public** was made at 7:34 a.m. Kate Lawrence, owner of Lawrence Auto Body on Grand River and a resident of the city, spoke regarding the request for DDA approval of a resolution in support of the PSD special assessment. While she is supportive of everything the PSD has done for the city in the past, she is opposed to the special assessment.

Keith Karp, owner of Oh My Lolli on Mill Pond Lane, discussed his support of a downtown theater but also in his opinion believes that decisions about this large of a project are being made too quickly. He did a lot of due diligence before opening his store in Brighton and would like the board to do theirs, too, and consider all options before making a final decision.

John Becker, owner of 500 W. Main, noted that he has made significant investment in the brewery building. In his opinion, the DDA needs to get three bids for the theater design work and it should not be a "rubber stamp" decision by the board and he would go so far as engaging legal counsel to examine any legal recourse regarding the theater to protect his investment.

Mac Miller, owner of Artisans Bench at 307 W. Main, suggested that in light of the public interest surrounding the theater that a special meeting should be held to get input from the public. He noted that we will be using tax dollars to pay for the theater and it will be around for a long time.

Hearing no further response, call to the public was closed at 7:40 a.m.

5. **A. Approval of the February 18, 2014 Regular Meeting Minutes**

*Motion by Mr. Muzzin, supported by Mr. Corrigan, to approve the February 18, 2014 regular meeting minutes as presented. Motion carried 12-0-1, with Ashley Israel abstaining.*

6. **Approval of Bills**

Mr. Modrack noted that the Lindhout invoice was primarily for floor plan sketches for the theater and Mr. Cameron's invoice was for attendance at the February DDA meeting.

*Motion by Mr. Griffith, supported by Mr. Pipoly, to approve the bills as presented. Motion carried 13-0.*

7. **A. Financial Reports**

Ms. French noted that the financial report reflects the budget reductions discussed and approved at the February DDA meeting.

*Motion by Mr. Corrigan, supported by Mr. Griffith, to accept the FY 13-14 financial report through 3/13/14 as presented. Motion carried 13-0.*

**B. Request from Cheryl Gatt to purchase DDA's escrowed liquor license**

Mr. Modrack indicated we received an email from Ms. Gatt with an offer to purchase the DDA escrowed license. He noted that she plans to open a European baker and restaurant in Howell. She is making this request as part of the LCC's redevelopment liquor license application process which requires a response from the DDA in writing.

*Motion by Mr. Beauchamp, supported by Mr. Binkley, to deny the request from Cheryl Gatt to purchase the DDA's escrowed Class C liquor license and to direct DDA Attorney Doug Cameron to respond to her in writing. Motion carried 13-0.*

8. **Downtown Parking Strategy (3/14/14 subcommittee meeting) – Matt Modrack**

A. Meters, Maintenance, Repairs and Signage – Mr. Modrack reviewed a Powerpoint presentation that included a map of the capture by DDA district and a survey of the 14 downtown public parking lots and their current conditions. Some of the lots were built very recently and are in good shape, while others, such as the Hyne and East Street lots, require some work sooner rather than later. He also reviewed the information provided by DPS Director Dave Blackmar about what it costs to maintain the public lots (plowing, brushing, crack sealing every two years, manhole repairs every four years). Based on this information, Mr. Modrack indicated he plans to recommend to the Budget subcommittee that the DDA board allocate \$126,000 per year for ongoing maintenance costs.

B. Next steps for parking enforcement – Mark Binkley

Mr. Binkley provided feedback from the Parking Strategy subcommittee meeting. The committee plans to put together a plan in conjunction with the Brighton Police Department for City Council approval that will designate two-hour parking for customers and all-day parking lots for employees and to suggest possible agreements with private parking lot owners to use for employees. The plan is to schedule two public meetings for input prior to developing the final recommendation from the DDA Board to Council. He plans to present the results of the public meetings and draft recommendation to the DDA at the April meeting for either the April or early May Council meeting agenda. He noted that all options are on the table as far as enforcement, including the possibility of installing parking meters. The public meeting notice will be sent to all DDA board members.

9. **Administrative Report – Matt Modrack**

A. Consider approval of DDA resolution in support of PSD Special Assessment District – Mr. Modrack requested that the board consider approving a resolution to be sent to City Council for the meeting on April 3 when they will consider the necessity of a PSD special assessment district. Ms. Nelson noted that the SAD will allow the PSD to stand on its own. Mr. Pipoly, Mr. Griffith and

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Mr. Muzzin support approving the resolution because it takes the PSD appropriation out of the DDA budget, not because they necessarily agree with the SAD itself.

*Motion by Mr. Binkley, supported by Ms. Nelson, to approve DDA Resolution Number 01-14, Resolution of Support from City of Brighton Downtown Development Authority for the Principal Shopping District Board's Request to City Council for Creation of a Special Assessment District. Motion carried 13-0.*

B. Consider extension of the GBACoC/DDA Service Agreement from 3/1/14 to 2/28/15 – Mr. Modrack noted that the service agreement is for Jen Ling's assistance to Ms. French for primarily PSD matters and extends the agreement for a year to February 28, 2015.

*Motion by Mr. Corrigan, supported by Ms. Nelson, to approve the extension of the GBACoC/DDA service agreement from 3/1/14 to 2/28/15 at a cost of \$15,000 per year (\$1,250 per month). Motion carried 12-0-1, with Pam McConeghy abstaining.*

C. Discuss and consider possible changes to Article III, Section 4, of DDA By-laws – Mr. Cameron reviewed Section 4 pertaining to the number of board members for a quorum. He indicated that the old by-laws were done when there were only 10 members on the board and a problem with absences; there were times when no business could be done because there were not enough members present, so the quorum was set at five. Since that does not seem to be a problem with this board now, he recommends that the number required for a quorum be changed to a majority, or seven members.

*Motion by Mr. Griffith, supported by Ms. Botka, to amend the number of members required for a quorum in Article III. Meetings, Section 4, Quorum and Meetings of the Restated & Revised Brighton Downtown Development Authority Bylaws adopted on May 7, 2009 from five (5) to seven (7). Motion carried 13-0.*

D. Davis office site demo update – Mr. Modrack noted that the site is almost completely cleared and he has no doubts that it will be developed soon. He mentioned that part of the ENA Cat. A grant is for new black mast arms at Orndorf and Grand River that will match those at Grand River and Main.

E. Theater update – where we started, where we are, where we're going – Mr. Modrack reviewed a Powerpoint presentation containing photographs of various buildings in Brighton to respond to recent criticisms that "the buildings don't match" and that "Brighton is boring". The buildings were all built to specifications contained in city ordinances and contain a consistent palette of proper building materials (brick, stone, trim, etc.). There are enough "funky" buildings in Brighton (e.g., Impulse, Wood 'n Things) to differentiate the buildings. He wanted to inform the board members and show the photographs in the event this comes up in conversation with residents or customers. He deferred the second Powerpoint presentation regarding the theater until after Bill Beitz' presentation in item 10.A.

### 10. New Business

**A.** Statement of qualifications for inclusion in theater project RFP as requested by Bill Beitz, JPRA

Mr. Beitz reviewed the material included in today's packet with examples of some of the projects JPRA Architects have been involved with. He agrees with Mr. Becker that three to five firms should be solicited for theater proposals. He reviewed JPRA's qualifications and noted that they always have to work with a variety of consultants on their projects who have the expertise in sound, seating, etc., which are not typically architects' areas of expertise. Mr. Beitz also reviewed other projects and theater concepts which included removable seating that could be stored in a half-basement if that was in the plan. He noted that he and his wife own Impulse and a condominium in Main Street Crossing. Mr. Modrack noted that most of the projects shown are a

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lot larger than what we anticipate for the theater, since its budget is only \$2.3 million. He thanked Mr. Beitz for his presentation to the board.

Mr. Modrack reviewed a "Where We Started, Where We Are, Where We're Going" slide presentation that explained the original concept of a theater in downtown similar to the old Rialto Theater that was located on Bill McCririe's property on Main Street. He explained the background work that has taken place such as meeting with BCPA, Two Stones Events, the Livingston Players and visiting other similar theaters in the metro Detroit area. The sketch that Lindhout Associates prepared was done at the request of Fifth Third Bank and was used for a sign at one of their functions which was later installed at the site. Mr. Modrack reviewed four alternatives for going forward but also noted that he needs to find 200 additional parking spaces before we build the theater.

**B. SELCRA Splash Pad** – Mr. Modrack reported that the SELCRA splash pad project at the Meijer Skate Park has been resurrected and he will be working with Derek Smith to apply for grant funds to build it. As the board may recall, the DDA at one time set aside \$100,000 in matching funds for this project but it was removed from the budget when funding fell through.

Motion by Mr. Corrigan, supported by Mr. Pipoly, to work with Derek Smith from SELCRA to pursue grant funds to build the SELCRA splash pad at the Meijer Skate Park. The motion carried 12-0-1.

**C. Sub-Committee Reports**

1. **Design** – No meeting
2. **Budget** – No meeting
3. **Development** – No meeting
4. **Executive** – No meeting

11. **Chamber Report** – Pam McConeghy – Ms. McConeghy noted that the first annual Livingston Regional Investment Award Ceremony will take place at Cleary on Friday, March 21. She also reported that they are trying to schedule another meeting with MDOT about the planned I-96 and US-23 construction and will let everyone know the date when it is scheduled.

12. **City Council Report** – Jim Muzzin – Mr. Muzzin reported that the FY 14/15 budget was presented to City Council on March 20 and there are three Council budget work sessions scheduled the week of March 24.

13. **Field Trip – Becker Brewery Tour (immediately after meeting)**  
Mr. Modrack invited the board members and anyone in the audience to tour the Becker Brewery this morning after the meeting.

14. **Adjournment**

*Motion by Mr. Griffith, supported by Mr. Garbacz, to adjourn at 9:15 a.m. Motion carried 12-0-1.*

Respectfully submitted,

Lauri French, Deputy Director  
Community Development, Planning & Zoning  
March 25, 2014